

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THERESA L. MAY,

04-CV-1364-HU

Plaintiff,

ORDER

v.

JO ANNE BARNHART, Commissioner
of the Social Security
Administration,

Defendant.

MAE RAE

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BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#25) on November 22, 2005, in which he recommended the Court grant Defendant's Motion to Remand (#22), deny the Motion to the extent Defendant seeks remand for additional proceedings and remand for payment of benefits.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#25) and, accordingly, **GRANTS in part** Defendant's Motion to Remand (#22), **DENIES** the Motion to the extent Defendant

seeks remand for further proceedings, and **REMANDS** this matter for calculation of benefits without further administrative proceedings.

IT IS SO ORDERED.

DATED this 10th day of January, 2006.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge